

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATTHEW G. SILVA,

Plaintiff,

v.

C. J. MERRITT, *et al*,

Defendants.

Case No. C07-5482 BHS/KLS

ORDER DENYING PLAINTIFF'S  
MOTION FOR WITHDRAWAL OF  
DEFENSE COUNSEL

Before the Court is Plaintiff's motion for withdrawal of defense counsel, Rob McKenna, and any of his subordinates, who have appeared on behalf of Washington State employees in this action. (Dkt. # 29). Plaintiff argues that under RCW 42.12.010(6) Washington Attorney General Robert M. McKenna has forfeited his office by failing to execute and file a bond with the Secretary of State of Washington.

Defendants have provided the Court with evidence that the State has provided Plaintiff with the information needed to obtain a copy of the official bond he claims does not exist. (Dkt. # 31, Exh. A). Defendants have also provided the Court with a copy of the bond. *Id.*, Exh. B. In addition, there is no legal authority for the argument presented by Plaintiff that Assistant Attorneys General must withdraw from representing state employees when an Attorney General is removed

1 from office for the reasons set forth in RCW 42.12.010. State law requires attorneys from the office  
2 of the Attorney General to represent all state officials and employees acting in good faith within the  
3 scope of their official duties. RCW 4.92.060-.070; RCW 43.10.030(3); RCW 43.10.060-.065.

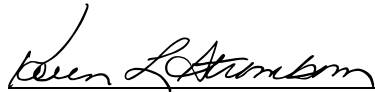
4 Plaintiff has provided no evidence or law to the contrary.

5 Accordingly, it is **ORDERED**:

6 (1) Plaintiff's motion for withdrawal of defense counsel (Dkt. # 29) is **DENIED**; and

7 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and counsel for  
8 Defendants.

9 DATED this 25th day of April, 2008.

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14 United States Magistrate Judge  
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